

**REMARKS****Response to Claim Rejections Under 35 USC §102**

Claims 1, 52, 55, 58 and 65 were rejected by the Examiner under 35 USC §102(b) as being anticipated by Ghiatas. (U.S. Pat. No. 5,158,084). Applicants have amended claim 1 to require the fixation member to be secured to a location on the distal shaft portion or distal end spaced proximal from the distal tip. The Ghiatas device has a fixation element which is an integral part of as secured to the tissue penetrating tip.

**Response to Allowable Subject Matter**

The applicants note with appreciation the indicated allowance of Claims 68-91.

Claims 49, 53, 54, 56, 57, 59-64, 66 and 67 were objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants believe that the amendments made to claims 1, 55 and 58 and 65 places these claims in condition for allowance, so there is no need to amend claims 49, 53, 54, 56, 59-64 and 67 which depend from these claims.

**Conclusions**

The applicants believe that the presently pending claims define patentable subject matter. Reconsideration and an early allowance are respectfully requested.

Respectfully Submitted,

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